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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,962	08/31/2001	William Hastings Wurz	8462-AFP	2221

20349 7590 06/01/2006

POLAROID CORPORATION
PATENT DEPARTMENT
1265 MAIN STREET
WALTHAM, MA 02451

EXAMINER

CHOWDHURY, NIGAR

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 06/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/944,962	Applicant(s) WURZ ET AL.	
	Examiner Nigar Chowdhury	Art Unit 2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-18 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4, 6-8 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,576,950 by Tonomura et al.

2. Regarding claim 1, a method of indexing and retrieving user specified frames during recordation and playback of video images comprising the steps of:

- Providing a hard copy representation of any user specifiable image frame during contemporaneous recordation of video images, hard copy having

an image and corresponding encoded frame location (Fig. 1, Col. 4 line 40-44)

- Retrieving user specifiable image frame by using the hardcopy to access the image location by reading the encoded information (Fig. 1, Col. 5 line 22-28)

3. Regarding claim 2, the method as in claim 1, providing step includes the step of employing a video image capture device capable of recordation and playback of video images such as a video cassette recorder or a video disc (Col. 4 line 47-52).

4. Referring claim 3, the method as in claim 1, providing step includes the step of employing a printing device for providing a hard copy representation of the user specifiable image that can serve as a quick access for locating a desired image as well as the location of the image (Col. 1 line 47-51, Col. 15 line 34-43).

5. Regarding claim 4, the method as in claim 1, providing step utilizes a bar code for locating a pattern of intelligence on encoded frame location information (Fig. 11, Col. 12 line 15-23).

6. Regarding claim 6, the method as in claim 1 further including a storing step for storing user specifiable image and corresponding encoded frame location information, storing step occurring between step (a) and step (b) (Col. 4 line 47-52).

7. Referring claim 7, the method as in claim 6, the storing step provides a video album for physical storing of hardcopy representation of images (Col. 4 line 61-Col. 5 line15).

8. Regarding claim 8, the method as in claim 1, retrieving step (b) provides employing a scanning device to locate quickly and automatically the location of user-specifiable image frame to read encoded frame location information and transmit information to video image playback device (Fig. 11, Col. 12 line 15-23).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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9. Claims 5, 10-15, 17, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent No.5,576,950 by Tonomura et al. as set forth in the last office action.

10. Referring claim 5, Tonomura teaches a magnetic tape or magneto optic disc to store information but Tonomura fails to teach magnetic stripe for digital data or sound recording.

It is noted that the use of magnetic stripe is old and well-known in the recording art. Therefore, official notice is taken. Moreover, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a well-known magnetic stripe to store digital data or sound recording and it is also used in credit cards, identity cards and transportation tickets which are easy to carry.

11. Regarding claim 10, a method of retrieval of user specified frames during recordation and playback of video images by way of random access of a desired frame on a video disc comprising the steps of:

- Providing an index representation of any user specifiable image frame during contemporaneous recordation of video images, index having an image and corresponding encoded frame location information for locating image (col. 4 line 41-43, 53-62, Col 10 line 51-53)
- Providing a selected sequence of frames after reviewing and editing desired frames (Col. 11 line 54, 55)

- Converting sequence into a digital form to write to a recordable digital video disc (Col. 6 line 3-6)
- Providing location identifying marks on the recordable digital video disc (Col. 10 line 51-53)
- Writing the location identifying marks on the header track of the disc to provide quick and easy access (Col. 10 line 51-65)

Tonomura also teaches the hard copy of the image but doesn't teach a jacket cover for the video disc. It is noted that the use of jacket covering the video disc is old and well-known in the recording art. Therefore, official notice is taken. Moreover, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a well-known jacket cover for the video to protect the video disc and it is also easy to carry.

12. Referring claim 11, the method as in claim 10, wherein providing step (a) includes the step of employing a video image capture device capable of recordation and playback of video images such as a video cassette recorder or a digital video disc recorder (Col. 4 line 47-52)

13. Regarding claim 12, the method as in claim 10, wherein the providing step (d) of hard copy representation in step (d) includes the step of employing a printing device (Col. 4 line 61-Col. 5 line15).

14. Regarding claim 13, the method as in claim 10 wherein encoded frame location information in step (a) can be in the form of a bar code (Fig. 11, Col. 12 line 15-23).

15. Claim 14 is rejected for the same reason as discussed in corresponding claim 5 above.

16. Referring claim 15, the method as in claim 10 wherein hardcopy representation in step (d) can be obtained during recordation or playback of a video recorder (Col. 10 line 51-53).

17. Considering claim 17, the method as in claim 10 wherein the providing step (d) provides a single image (Col. 10 line 51-53).

18. Regarding claim 18, a thumbnail representation of user specifiable image frames to the combination of claim 10. Tonomura fails to teach the thumbnail representation. It is noted that the use of thumbnail fashioned printed scene is old and well-known in the recording art. Therefore, official notice is taken. However, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a thumbnail representation of the image to see without loading the tape, play and find out the desired location of the scenes.

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19. Claims 9, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent No.5,576,950 by Tonomura et al. in view of U.S. Patent No. 5,926,285 by Takahashi as set forth in the last office action.

Regarding claim 9, Tonomura teaches printer to print images but Tonomura fails to teach thermal printing device.

Takahashi teaches thermal printing device to print images. (Col. 22 line 41)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have a thermal printer to information faster and more quietly than dot matrix printer. They are also more economical since their only consumable is the paper itself.

20. Claim 16 is rejected for the same reason as discussed in corresponding claim 9 above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nigar Chowdhury whose telephone number is 571-272-8890. The examiner can normally be reached on 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NC
05/30/2006


THAI TRAN
PRIMARY EXAMINER